

JS 44C/SDNY
REV. 12/2005

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS CADENCE INNOVATION LLC

DEFENDANTS DELPHI CORPORATION, et. al.

07CV8769

Parker

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
ALSTON & BIRD LLP, 1201 West Peachtree Street,
Atlanta, Georgia 30309-3424, Telephone (404) 881-7000

ATTORNEYS (IF KNOWN)
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP, Four
Times Square, New York, New York 10036, (212) 735-3000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

Motion Seeking Mandatory Withdrawal of the Reference, pursuant to 28 U.S.C. § 157(d), of Delphi Corporation, et al.'s Motion for Order Estimating and Setting Maximum Cap on Cadence Innovation LLC's Unliquidated Claim.

Has this or a similar case been previously filed in SDNY at any time? No Yes? Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

(PLACE AN (x) IN ONE BOX ONLY)

NATURE OF SUIT

05-44481 # 10493 RJD

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 1362 PERSONAL INJURY - MEO MALPRACTICE	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 1422 APPEAL	<input type="checkbox"/> 1400 STATE REAPPORTIONMENT
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 1363 PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 620 FOOD & DRUG SEIZURE OF PROPERTY	<input type="checkbox"/> 1423 WITHDRAWAL 28 USC 158 28 USC 157	<input type="checkbox"/> 1410 ANTITRUST
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 1368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 630 LIQUOR LAWS	<input type="checkbox"/> 1430 BANKS & BANKING	<input type="checkbox"/> 1430 BANKS & BANKING
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 1380 OTHER PERSONAL INJURY LIABILITY	<input type="checkbox"/> 640 RR & TRUCK LIABILITY	<input type="checkbox"/> 1450 COMMERCE/ICC	<input type="checkbox"/> 1450 COMMERCE/ICC
<input type="checkbox"/> 160 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 1390 PERSONAL PROPERTY	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 1460 DEPORTATION	<input type="checkbox"/> 1460 DEPORTATION
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 1397 OTHER FRAUD	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 1470 RACKETEER INFLUENCE & CORRUPT ORGANIZATION ACT (RICO)	<input type="checkbox"/> 1470 RACKETEER INFLUENCE & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 1371 TRUTH IN LENDING	<input type="checkbox"/> 670 OTHER	<input type="checkbox"/> 1480 CONSUMER CREDIT	<input type="checkbox"/> 1480 CABLE/SATELLITE TV
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	<input type="checkbox"/> 365 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 1380 OTHER PERSONAL INJURY	<input type="checkbox"/> 1385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 1490 SELECTIVE SERVICE	<input type="checkbox"/> 1490 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 380 OTHER PERSONAL INJURY	<input type="checkbox"/> 1385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 1710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 1500 SOCIAL SECURITY	<input type="checkbox"/> 1500 SOCIAL SECURITY
<input type="checkbox"/> 190 OTHER CONTRACT			<input type="checkbox"/> 1720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 181 MIA (1905FF)	<input type="checkbox"/> 1510 CUSTOMER CHALLENGE
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY			<input type="checkbox"/> 1730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 182 BLACK LUNG (923)	<input type="checkbox"/> 1520 12 USC 3410
<input type="checkbox"/> 198 FRANCHISE			<input type="checkbox"/> 1740 RAILWAY LABOR ACT	<input type="checkbox"/> 183 DIWC (405(g))	<input type="checkbox"/> 1530 12 USC 3410
			<input type="checkbox"/> 1780 OTHER LABOR LITIGATION	<input type="checkbox"/> 184 SSID TITLE XVI	<input type="checkbox"/> 1540 AGRICULTURE ACTS
			<input type="checkbox"/> 1790 EMPL RET INC SECURITY ACT	<input type="checkbox"/> 185 RSI (405(g))	<input type="checkbox"/> 1550 ECONOMIC STABILIZATION ACT
				<input type="checkbox"/> 1870 TAXES	<input type="checkbox"/> 1560 ENVIRONMENTAL MATTERS
				<input type="checkbox"/> 1871 IRS-THIRD PARTY 20 USC 7609	<input type="checkbox"/> 1570 ENERGY ALLOCATION ACT
					<input type="checkbox"/> 1580 FREEDOM OF INFORMATION ACT
					<input type="checkbox"/> 1590 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
					<input type="checkbox"/> 1600 CONSTITUTIONALITY OF STATE STATUTES
					<input type="checkbox"/> 1610 OTHER STATUTORY ACTIONS
REAL PROPERTY	CIVIL RIGHTS	ACTIONS UNDER STATUTES	PRISONER PETITIONS		
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE			
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 520 28 USC 2265			
<input type="checkbox"/> 230 RENT LEASE & EJECTION	<input type="checkbox"/> 443 HOUSING	<input type="checkbox"/> 530 HABEAS CORPUS			
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 535 DEATH PENALTY			
<input type="checkbox"/> 245 TORT PRODUCT LIABILITY	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER			
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 448 AMERICANS WITH DISABILITIES - OTHER	<input type="checkbox"/> 550 CIVIL RIGHTS			
	<input type="checkbox"/> 1440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 555 PRISON CONDITION			

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
IF SO, STATE:

DEMAND \$ _____ OTHER _____

JUDGE Drain DOCKET NUMBER 05-44481

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN IN ONE BOX ONLY)

ORIGIN

1 Original Proceeding 2a. Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from (Specify District) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judge Judgment
 2b. Removed from State Court
AND at least one party is a pro se litigant

(PLACE AN IN ONE BOX ONLY)

BASIS OF JURISDICTION

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CITIZEN OF ANOTHER STATE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FOREIGN NATION	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Cadence Innovation LLC
977 East Fourteen Mile Road
Troy, MI 48083

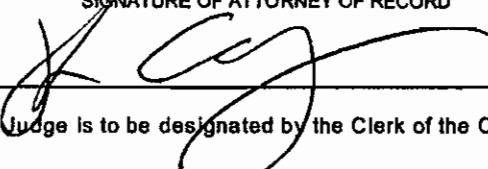
DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Delphi Corporation
5725 Delphi Drive
Troy, MI 48098

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE 10/5/07 SIGNATURE OF ATTORNEY OF RECORD
RECEIPT # 
ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[x] YES (DATE ADMITTED Mo. 11 Yr. 05)
Attorney Bar Code # DC-9932

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

J Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)